United States District Court

for

District of New Jersey

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: William Mayes

Cr.:05-592-001

Name of Sentencing Judicial Officer: Honorable Stanley R. Chesler

Date of Original Sentence: 04-06-06

Original Offense: Conspiracy to Deal in the Business of Firearms (18 U.S.C. § 371)

Original Sentence: 40 months custody and three years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 12-17-08

PETITIONING THE COURT

XTo modify the conditions of supervision as follows.

CAUSE

William Mayes was ordered to pay a fine in the amount of \$1,500. There was no monthly payment schedule set by the Court. After an assessment of the offender's finances, it appears he is only capable of paying a minimum of \$25 per month towards the restitution amount. The offender recently opened a thrift store with his wife and income appears to be limited at this time. We are respectively requesting the monthly installment amount be set at \$25.

By: Kevin M. Villa U.S. Probation Officer Date: March 4, 2009

THE COURT ORDERS:

The Modification of Conditions as Noted Above [] The Extension of Supervision as Noted Above [] No Action [] Other

Signature of Judicial Officer

Respectfully submitted,

ROB 49 (3/89)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

William Mayes was ordered to pay a fine in the amount of \$1,500. There was no monthly payment schedule set by the Court. After an assessment of the offender's finances, it appears he is only capable of paying a minimum of \$25 per month towards the restitution amount. The offender recently opened a thrift store with his wife and income appears to be limited at this time. We are respectively requesting the monthly installment amount be set at \$25.

Witness:

U.S. Probation Officer

Kevin M. Villa

Signed:

Supervised Releasee

William Mayes

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PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

WILFREDO TORRES SENIOR DEPUTY CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICER THOMAS C. MILLER

March 5, 2009

SUPERVISION UNIT 20 WASHINGTON PLACE 6TH FLOOR NEWARK, NJ 07102-3172 (973) 645-6161 FAX: (973) 645-2155

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The Honorable Stanley R. Chesler United States District Judge Martin Luther King Jr. Federal Bldg. and U.S. Courthouse P.O. Box 0999 Newark, New Jersey 07102-0999

RE: MAYES, William (Dkt.#: 05-592-001)

MODIFICATION TO CONDITIONS OF SUPERVISED

RELEASE

Dear Judge Chesler:

The above offender was sentenced by Your Honor on April 6, 2006, after being convicted of Conspiracy to Deal in the Business of Firearms (18 U.S.C.§ 371) to 40 months in custody and three years supervised release. Special conditions included financial disclosure, no new credit, mental health evaluation, \$100 special assessment and a \$1,500 fine. Mayes began his supervision term on December 17, 2008. Today, we write the court to request a monthly payment schedule be set for the fine.

William Mayes was ordered to pay a fine in the amount of \$1,500. There was no monthly payment schedule set by the Court. After an assessment of the offender's finances, it appears he is only capable of paying a minimum of \$25 per month towards the restitution amount. The offender recently opened a thrift store with his wife and income appears to be limited at this time. We are respectively requesting the monthly installment amount be set at \$25.

Mr. Mayes consented and signed the attached Probation Form 49 (Waiver of Hearing to Modify Conditions of Supervised Release). Also attached is the Probation Form 12B (Modification to Conditions of Supervised Release) for Your Honor's review and approval. Thank you for your time in this matter. If you have any questions, please feel free to contact the undersigned officer at (973) 645-4692.

Respectfully submitted,

CHRISTOPHER, MALONEY, Chief

U.S. Probation Officer

By: Kevin M. Villa

U.S. Probation Officer

/kmv